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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,591	10/24/2003	Gary Peterson	JHM1241	7301
7590	03/21/2006		EXAMINER	
PATENT & TRADEMARK SERVICES INC 6111 Saddle Horn Dr. Fairfax, VA 22030			LEE, GUIYOUNG	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/691,591	PETERSON, GARY
	Examiner Guifyoung Lee	Art Unit 2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 2,3 and 7-13 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 2,3 and 7-13 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____

DETAILED ACTION

Prelim./Amdt.

1. Receipt is acknowledged of the amendment filed 6/20/2005.
2. Claims 2-3 and 7-13 are pending, and claims 1 and 4-6 have been cancelled.

Allowable Subject Matter

3. The indicated allowability of claims 5-9 is withdrawn in view of the newly discovered reference(s) to Yu (US 6,072,386) in view of Peterson et al. (US 6,186,635 B1). Rejections based on the newly cited reference(s) follow.

Claim Objections

4. Claim 12 is objected to because of the following informalities: Claim 12 recites the limitation "said material" in line 11. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-3 and 7-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. (US 6,186,635 B1) in view of Yu (US 6,072,386).

Re claim 11 and 12: Peterson discloses a light adapted to be secured to a bike having a block, means in the block for producing light, means for securing the block to the bike, and wherein the block has two sources for producing light, and wherein the material comprises a compound comprising a ratio of six parts of phosphorescent brightener and four parts of fluorescent coloring and four drops of mineral oil to 100 parts of polyvinylchloride. Peterson does not disclose the block having two side portions and a groove between the side portions. However, Yu teaches a light device having a block with a length, a width, and a thickness (4 in Fig. 2), and the block has two side portions (See the side portions of 4 in Fig. 2) and a groove formed between the two side portions. Although Peterson does not disclose the block has two side portions and a groove between the side portions, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Peterson's block to include a groove between two side portions as taught by Yu because such modification would be an obvious matter of engineering choice to accommodate a plurality of light source in the block.

Re claims 7 and 13: The teachings of Peterson have been discussed above. Peterson further discloses a clip having two ends (the two ends of 8 in Fig. 2) and a base (10).

Re claims 2-3 and 10: Yu further teaches the light sources are a plurality of LEDs, and the LEDs are contained entirely within the block (See Fig. 4).

Re claim 8-9: Peterson further discloses the block is positioned on one side of the spokes and the clip (8) is positioned on an opposite side of the spokes (See Fig. 3).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LGY



THOMAS M. SEMBER
PRIMARY EXAMINER